



Jack Sachs
<jack.sachs@yahoo.com>

08/26/2014 01:35 PM

Please respond to
Jack Sachs
<jack.sachs@yahoo.com>

To "sullivanysdchambers@nysd.uscourts.gov"
<sullivanysdchambers@nysd.uscourts.gov>
cc "Kevin M. Hynes" <khynes@orrick.com>, Dana Sussman
<dana.sussman@safehorizon.org>

bcc

Subject Pichardo v. Francisco, no 1:13-cv-04300-RJS

5 attachments



Letter to Walcovich re Expressway.pdf



Letter to Walcovich re interrogatories0002.pdf



Notice of Appearance.pdf



Letter to Walcovich re interrogatories0001.pdf



Letter to Walcovich re interrogatories0003.pdf

Honorable Richard J. Sullivan

United States District Judge
Southern District of New York

Dear Judge Sullivan:

This is in response to plaintiff's counsel's letter to Your Honor of August 19, 2014. It appears that the writer may not have reviewed the file of the attorney with whom I corresponded, Sarah E. Walcovich, Esq., since I have obtained everything my client says he has concerning the corporation and other items requested, and sent them to counsel, except for the shares in his cooperative apartment, which I am expecting later today.

As to the information regarding the Parking Lot business, everything my client had was sent with my letter of April 14, 2014, as per copy attached (just the letter is attached hereto). As I have stated in prior correspondence, and in the evidence sent to Ms. Walcovich, it can be seen that the corporation is a 200-share New York corporation, with my client the sole shareholder. The lease my client had with the City has since expired, and he has been on a month-to-month basis for the past several years. Whoever assisted my client in the formation of the corporation, a simple task through agents who specialize in such matter, such as Bloomberg Stationery, apparently never typed out the stock certificate. There is, however, absolutely nothing more counsel can divulge, and the corporation is registered with the Secretary of State of New York State.

As to the interrogatories, these were all answered to the best of my and my client's ability, in my letter to counsel of June 20, 2014, copy attached hereto. I had mentioned to Your Honor in a previous letter that the physical business consists of 1-1/2 blocks of pavement under the Bruckner Expressway, in the Bronx, leased from the City of New York. There are no assets as such, either fixed or mobile: no building, no furniture, no office machines. All that my client did, many years ago, was have lines painted on the street to define where the parked vehicles should go. There are two flimsy shacks, one at either end, where the attendants sit to direct the customer, and then collect the fee. I tried to explain that to counsel, since interrogatories of the type we received would be more appropriate to a national corporation with lots and garages all over the city, state or country. Perhaps someone from counsel's office should take a few minutes to visit the site and see for themselves.

As I stated above, I am expecting the shares to my client's coöp, either today or tomorrow, copies of which will be sent to counsel as soon as I have them.

Respectfully,

Jack Sachs, Esq.

2600 Netherland Avenue, #2004

Riverdale, NY 10463

Tel. +212 233-1400

Fax +347-920-2863

Mobile +917-645-2440

FAX: (347) 920-2863
e-mail: jack.sachs@yahoo.com

JACK SACHS
ATTORNEY AT LAW

2600 NETHERLAND AVE., SUITE 2004 • RIVERDALE, NEW YORK 10463 • TEL: (212) 233-1400

April 14, 2014

By Priority Mail

Sarah E. Walcavich, Esq.
Orrick, Herrington & Sutcliffe, LLP
51 West 52nd Street
New York, NY 10039-6142

Re: Pichardo v. Francisco, S.D.N.Y.

Dear Ms. Walcavich:

As I mentioned over the phone, enclosed please find copies of everything Mr. Francisco has with respect to Expressway Parking Lot, Inc., as follows:

- Department of Consumer Affairs permit, valid through 02/31/2015
- Certificate of Incorporation
- Contract (Interim Permit) with N.Y. State Dept. of Transportation
- Certificate of Compliance
- Certificate of Authority Validation.

As far as I can determine, he has no other documentation concerning his holding in the Parking Lot Corporation.

Sorry for the delay.

Yours truly,


Jack Sachs

JS:abm
Encl's

FAX: (347) 920-2863
e-mail: jack.sachs@yahoo.com

JACK SACHS
ATTORNEY AT LAW

2600 NETHERLAND AVE., SUITE 2004 • RIVERDALE, NEW YORK 10463 • TEL: (212) 233-1400

June 20, 2014

By Priority Mail

Sarah E. Walcovich, Esq.
Orrick, Herrington & Sutcliffe, LLP
51 West 52nd Street
New York, NY 10019-6119

Re: Pichardo v. Francisco, S.D.N.Y.

Dear Ms. Walcovich:

Enclosed are copies of everything that my client brought to our meeting. Apparently there are still some things missing, about which I clearly reminded him. For the present, this is the best I am able to do. I will refer to the Requests for Production as outlined in your letter of May 5, 2014, in the same order.

Requests Nos. 1 and 2: Items sent with my letter of April 14, 2014. Mr. Francisco maintains he owns no other property.

Requests Nos. 3 and 4: Mr. Francisco owns no real property. He does have shares in the Co-op apartment in which he lives, which he said he could not locate, but will bring them to me as soon as he has found them.

Requests Nos. 5 and 6: Mr. Francisco owns a 2006 Dodge Daytona, which was totaled in an accident. Attached is the Title, as well as current photographs of the vehicle. Enclosed.

Requests Nos. 7 and 8: Mr. Francisco states that he has no bank accounts in his own name. When a check may be needed, he uses checks from the Parking Lot account.

Requests Nos. 9 and 10: He owns no stocks or bonds.

Requests Nos. 11 and 12: Mr. Francisco provided copies of tax returns or W-2's for the years 2008, 2010, 2011, 2012, 2013. Enclosed.

Requests Nos. 13 and 14: There are no "receivables." Parking lot fees are paid up front.

Requests Nos. 15 and 16: There are no judgments or other monies owed to Mr. Francisco.

Requests Nos. 17 and 18: As appearing on the tax returns submitted, Mr. Francisco's accountant is **Mendez Enterprises, 830 West 177th Street, 4C, New York, NY 10033-6620.**

Requests Nos. 19 and 20: There have been many "temporary" employees over the years at the Parking Lot, some only lasting a few weeks, or less. List is still being compiled.

Request No. 21: Provided as per Requests Nos. 11 and 12.

Request No. 22: Provided with my letter of April 14, 2014.

Request No. 23: Mr. Francisco has no safety deposit box.

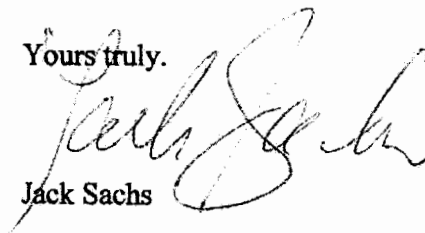
Request No. 24: No inheritance received, and none expected.

Request No. 25: Have left message for client, awaiting information.

If there is anything missing, it will be provided as soon as I am able to obtain it.

Yours truly.

Jack Sachs

A handwritten signature in cursive script, appearing to read "Jack Sachs", written in black ink.

JS:abm
Encl's

Addendum to Letter of June 20, 2014:

Request No. 25: I was just informed, by telephone, that this business was sold by Mr. Francisco "5 or 6 years ago."

A handwritten signature in black ink, appearing to be a stylized 'S' or 'B' with a long horizontal stroke extending to the right.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IDALMY PICHARDO,

Plaintiff

v.

**ARTURO FRANCISCO AND
EXPRESSWAY PARKING LOT, INC.,**

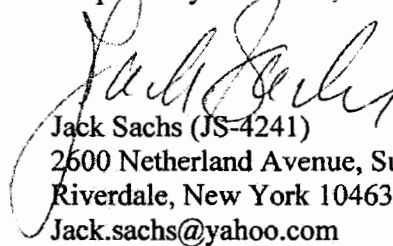
Defendants

No. 13-cv-4300 (RJS)

NOTICE OF APPEARANCE

JACK SACHS, an attorney duly admitted to practice before the courts of the Southern District of New York, hereby appears as attorney for defendants ARTURO FRANCISCO, and EXPRESSWAY PARKING LOT, INC. Copies of all documents and correspondence are to be served upon counsel at the address shown below.

Respectfully submitted,



Jack Sachs (JS-4241)
2600 Netherland Avenue, Suite 2004
Riverdale, New York 10463
Jack.sachs@yahoo.com
Tel (212) 233-1400
Fax No. (347) 920-2863
Mobile (917) 645-2440

Orrick, Herrington & Sutcliff, LLP
51 West 52nd Street
New York, NY 10019-6142

Dana Sussman, Esq.
Safe Horizon Anti-Trafficking Program
50 Court Street, 8th Floor
Brooklyn, NY 11201